



Attorney Docket No.: Enz-53(D3)

PATENT

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Rabbani et al.

Serial No.: 08/978,636

Group Art Unit: 1635

Filed: November 25, 1997

Examiner: A. Bowman

For: **Non-Native Polymerase Encoding Nucleic Acid Construct**

Confirmation No.: 4642

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence comprising:

1. Information Disclosure Statement Transmittal Letter
2. PTO Form 1449
3. References

is being deposited with the United States Postal Service as first class mail in a box addressed to:

Asst. Commissioner for Patents  
Washington, DC 20231

on June 19, 2008

Cheryl H. Agris  
(name of person mailing paper)

Cheryl H. Agris  
(signature of person mailing paper)

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicants disclose hereby references which they believe may be material to the patentability of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are "prior art" unless specifically designated as such.

The filing of this Supplemental Information Disclosure Statement shall not be construed as a representation that no other material references than those listed exist or that a search has been conducted.

The references listed on form PTO/SB0/08a have been disclosed in the above referenced application, or in related applications, but have not been previously made of record. The above-referenced application and application serial nos. 08/978,633; 08/978,634; 08/978,635; 08/978,637; 08/978,638 and 08/978,639 are divisional applications of application serial no. 08/574,443. Application serial no. 08/978,632 is a continuation of application serial no. 08/574,443. Application serial nos. 08/978,635 and 08/978,639 have been abandoned. Applicants note that additional applications have been filed: 11/929, 897, a continuation of

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08/978,632; 11/925,929, a continuation of the above-referenced application; 11/929,055, a continuation of 08/978,637; and 11/927,676, a continuation of 08/978,638. Previously submitted foreign patent documents and non-patent literature are available through PAIR. Foreign patent documents and non-patent literature not previously submitted are submitted herewith.

It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the Undersigned if there are any questions concerning this paper or the attached references.

The Information Disclosure Statement submitted herewith is being filed

☐ together with an RCE

☒ after submitting the RCE but before any subsequent Office Action

☐ before the mailing date of a first Office Action on the merits

☐ after the mailing date of a first Office Action on the merits.

Respectfully submitted,

Date: June 19, 2008

Cheryl H. Agris

Cheryl H. Agris, Reg. No. 34,086

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

|                        |            |
|------------------------|------------|
| Application Number     | 08978636   |
| Filing Date            | 1997-11-25 |
| First Named Inventor   | Rabbani    |
| Art Unit               | 1635       |
| Examiner Name          | A. Bowman  |
| Attorney Docket Number | Enz-53-D3  |

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

|            |                       |                     |            |
|------------|-----------------------|---------------------|------------|
| Signature  | <i>Cheryl H. Agis</i> | Date (YYYY-MM-DD)   | 2008-06-19 |
| Name/Print | Cheryl H Agis         | Registration Number | 34086      |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**